



**REGULAR MEETING OF THE CITY COUNCIL AND THE CITY COUNCIL SERVING AS THE  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD**

**CLOSED SESSION MEETING BEGINS AT 5:30 p.m.  
IN THE CITY HALL STUDY SESSION ROOM  
68700 Avenida Lalo Guerrero  
Cathedral City, CA 92234**

**WEDNESDAY, MAY 8, 2013**

**Closed Session at 5:30 p.m., followed by Study Session at approximately 6:00 p.m. or at  
such time as the City Council completes the Closed Session Agenda  
and Regular Meeting at 6:30 p.m. in Third Floor Council Chambers**

**CALL TO ORDER**

**ROLL CALL**

- a) Roll call of City Council Members
- b) Action to excuse absent City Council Board Member(s)

**CLOSED SESSION PUBLIC COMMENTS**

*At this time, members of the public may address the City Council on any matter that is listed on this Closed Session agenda. Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes.***

*In response to any public comment on an item or matter **on this Closed Session agenda**, pursuant to Government Code Section 54954.2, members of the City Council may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** direct staff to place a matter of business on a future agenda. (California Government Code Section 54954).*

**SUMMARY OF CLOSED SESSION ITEMS**

City Attorney will read a summary of Closed Session items into the record.

**AGENDA APPROVAL**

**THE CITY COUNCIL WILL MOVE TO CLOSED SESSION**

**CLOSED SESSION AGENDA**

**A. CITY COUNCIL AS SUCCESSOR AGENCY**

NONE

**B. CITY COUNCIL:**

**1. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION**

pursuant to Government Code Section 54956.9 Subd. (d) **(N. Hermesen)**

Case Name: City of Cathedral City v. The Grass Hopper et. al.

Case No. INC 1206440

Court: California Superior Court for the County of Riverside

**2. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION**

pursuant to Government Code Section 54956.9 Subd. (d) **(N. Hermesen)**

Case Name: City of Cathedral City v. Desert Dank Deals, et. al

Case No. INC1300119

Court: California Superior Court for the County of Riverside

**3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION**

pursuant to Government Code Section 54956.9 Subd. (d) **(N. Hermesen)**

Case Name: City of Cathedral City v. TODAZE Remedy et. al.

Case No. INC 1208791

Court: California Superior Court for the County of Riverside

**RECESS**

**STUDY SESSION – 6:00p.m.**

**CALL TO ORDER**

**ROLL CALL**

**PRESENTATION OF COLORS**

Cathedral City High School Air Force Junior ROTC Honor Guard

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**PRESENTATIONS AND PROCLAMATIONS**

**CATHEDRAL CITY HIGH SCHOOL STUDENT REPORTS**

NONE

## **PUBLIC COMMENTS**

### **STUDY SESSION AGENDA**

*Normally, no action is taken on Study Session items; however, the City Council reserves the right to give specific policy direction and take specific action as necessary. Presentations will be limited to 10 minutes unless other provisions are made in advance.*

1. Receive presentation by the Project Design Team on bridge aesthetic concept(s) for the Ramon Road and Landau Bridges approved by both Palm Springs and Cathedral City Public Art Commissions. Inquire if Cathedral City Council needs or wants to elevate the aesthetic design previously approved. **(P. Milos) (Pg. 1)**

2. AB 109 update. **(K. Conner)**

3. Discussion of Biennial Budget. **(T. Scott)**

Note: discussion of biennial budget will convene in the Study Session Room as soon as the Regular meeting of the City Council has adjourned.

4. City Council/Staff reports and inquiries of new or ongoing projects.

## **RECESS**

**REGULAR MEETING - 6:30 p.m.**

## **CALL TO ORDER**

### **PRESENTATIONS AND PROCLAMATIONS**

**Special Presentations:** 2012 American Planning Association Grassroots Initiative Award awarded to the City of Cathedral City for the Environmental Conservation Division's (ECD) wildly popular Kids and Community Program. **(Council)**

Green Technology's Prestigious Leadership Award presented City of Cathedral City for its Energy Action Plan in the area of Energy Efficiency. **(Council)**

### **CLOSED SESSION ANNOUNCEMENTS**

## **PUBLIC COMMENTS**

*At this time, members of the public may address the City Council on any matter not listed on the agenda or any item on the Consent Agenda. Please complete a **'Request to Speak' form** and **limit your comments to three minutes**. When you are called to speak, please come forward and state your name and city of residence for the record.*

*In response to any public comment on an item or matter **not on this agenda**, pursuant to Government Code Section 54954.2, members of the City Council may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** direct staff to place a matter of business on a future agenda. (California Government Code Section 54954). Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes**.*

## **AGENDA FINALIZATION**

*At this time, the City Council may announce any items being pulled from the agenda or continued to another date.*

## **URGENCY ITEMS**

*Urgency Items ("Added Starters"): The Brown Act, which governs public meetings, permits the City Council to take action on any item that does not appear on the agenda only if 2/3 of the Council (if all are present) or all members of the Council (if fewer than all members are present) determine there is a need to take immediate action on the item, and the need to take immediate action came to the City Council's attention after the agenda is posted.*

## **COUNCIL COMMENTS**

Council Members' comments on items not on the agenda.

## **COMMITTEE ASSIGNMENTS**

See last page of Agenda Book

## **MINUTES**

NONE

## **CONSENT AGENDA**

*All matters on the Consent Agenda are considered routine in nature and are expected to be enacted by one motion. Members of the public may comment on any item on the consent agenda. However, Council Members will not discuss individual items among themselves unless those items are pulled off the Consent Agenda by a Council Member.*

### **A. COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY BOARD:**

**1. COUNCIL/CITY COUNCIL AS SUCCESSOR AGENCY BOARD.** Approve a Resolution of Summary Vacation of unused utility easements, from the previous vacations of various alleys and streets, affecting properties owned by the former Redevelopment Agency of the City of Cathedral City. **(P. Milos) (Pg.1-10)**

### **B. CITY COUNCIL:**

**2. COUNCIL.** Approve adoption of a Resolution authorizing and directing the City Clerk to destroy specified records pursuant the City's Records Retention Schedule. **(K. Conner) (Pg. 11-56)**

**3. COUNCIL.** Authorize purchase of vehicle for Post-Release Accountability Compliance Team Task Force (P.A.C.T. Team) Supervisor. As a pass through for the State, 100% of the costs are reimbursed by realignment funds through the County Probation Department. **(K. Conner) (Pg. 57-59)**

**4. COUNCIL.** Approve adoption of a Resolution of the City Council of Cathedral City, CA, supporting "Get Tested Coachella Valley/Hazte la Prueba Valle de Coachella" initiative. A campaign dedicated to dramatically reduce local transmission of HIV. **(Mayor DeRosa) (Pg. 60-61)**

**5. COUNCIL.** Approve designation of “F” Street as “Agnes Pelton Way”. **(P. Milos) (Pg. 62-64)**

**6. COUNCIL.** Approve invitation to bid for replacement of the soft surface on the Fountain of Life with CDBG funds. **(P. Milos) (Pg. 65-66)**

**7. COUNCIL.** Approve final acceptance of the Ramon Road Median Landscape and Irrigation CIP 1003; and authorize the City Manager to execute Notice of Completion and authorize the release of held retention funds to Earth Sculptures, Inc. **(P. Milos) (Pg. 67-69)**

**8. COUNCIL.** Receive report of intended travel from Council Member Pettis: **a.** American Public Transportation Association (APTA), 2013 Rail Conference, June 2-5, 2013, Philadelphia, PA. Trip fully funded by RCTC; **b.** NLC Board of Directors Meeting & Summer Policy Forum, June 27-29, 2013, Washington, DC, NLC and LOCC partially funding trip; **c.** LGBT Leaders Conference 2013, December 5-8, 2013, Denver, CO; and **d.** LOCC Annual Conference & Expo, September 18-20, 2013, Sacramento, CA.

**9. COUNCIL.** Receive report of intended travel for Council Member Toles: **a.** Nat’l League of Cities, Congress of Cities and Expo 2013, November 11-16, 2013, Seattle, WA; and, **b.** LGBT Leaders Conference 2013, December 5-8, 2013, Denver, CO.

### **MOTION FOR CONSENT AGENDA**

### **PUBLIC HEARINGS**

**10. COUNCIL.** Consider adoption of, and reading by title only, an Urgency Ordinance of the City Council of the City of Cathedral City, to become effective only upon occurrence of the conditions specified herein, Amending portions of Chapters 9.108, 9.40, 9.36 and 9.30 of Title 9, Planning and Zoning, and Section 13.80.240 of Title 13, Code Enforcement and Remedies, of the Cathedral City Municipal Code to revise the Permitting and Regulation of Medical Marijuana Dispensaries in Specified Zones of the City by Requiring a Conditional Use Permit. **(P. Milos) (Pg. 70-142)**

- a. Report by Jennifer Mizrahi, Assistant City Attorney
- b. Open Public Hearing
- c. Close Public Hearing
- d. Recommendation: Consider adoption of Urgency Ordinance, reading by title only.

### **LEGISLATIVE ACTIONS**

**11. COUNCIL.** Consider approval of Street Landscape and Lighting Maintenance District (LLD) No. 1: and Adoption of Resolutions to renew assessments in sixteen (16) existing benefit zones (Zones 1 through 54) within the Maintenance District for Fiscal Year 2013/2014.

- (A) Resolution Initiating Proceedings;
- (B) Resolution approving the Preliminary Engineer’s Report; and
- (C) Resolution of Intention to Levy and Collect Assessments **(T. Scott) (Pg. 143-192)**

- a. Report by Tami Scott, Administrative Services Director
- b. Open Public Hearing
- c. Close Public Hearing
- d. Recommendation: Approve

## **COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS**

### **ADJOURNMENT**

### **NOTES TO THE PUBLIC**

***Please remember: City Hall is closed for lunch 11:45am to 1:15pm. We are closed every Friday.***

***The next regularly scheduled meeting of the City Council/Successor Agency is scheduled for WEDNESDAY, MAY 22, 2013.***

*Agendas for Council meetings are posted at City Hall at least 72 hours before the meeting and on the Cathedral City Web site, [www.cathedralcity.gov](http://www.cathedralcity.gov). The agenda is available for public inspection in the City Hall lobby or the City Clerk's office the Monday preceding the meeting. Any document or writing that relates to an agenda item on the open session of a City Council meeting that is not distributed at least 72 hours prior to the meeting is also available for public inspection in the City Hall lobby or the City Clerk's office.*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office at (760)770-0385. Assisted-listening devices are available at this meeting. Ask the City Clerk if you desire to use this device. Notification at least 48 hours prior to the meeting or the time when services are needed will assist city staff in assuring reasonable arrangements can be made to provide accessibility to the meeting or service.*